

**THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
JUDICIARY**

**Wednesday, September 13, 2006      10:30 a.m.      Room 308 House Office Building**

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The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

**MEMBERS PRESENT:** Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith.

**MEMBER ABSENT/EXCUSED:** Representative McConico.

**Representative Bieda** moved to adopt the minutes of the **September 6, 2006** meeting. The motion was supported by **Representative Rocca**. There being no objection, the motion prevailed by unanimous consent.

**Chairman Van Regenmorter** opened the floor for the report from the Subcommittee on Accountability and Public Safety presented by Representative Schuitmaker, Chair.

**Chairman Van Regenmorter** laid **HB 6181** before the committee:

|         |            |                                                                                                                                                                   |
|---------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HB 6181 | Acciavatti | Criminal procedure; arrests; use of LEIN by arresting officer to determine if person is on parole; require and provide notification to department of corrections. |
|---------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**TESTIMONY**

**Representative Acciavatti**, sponsor of HB 6181, explained his bill to the committee.

**Heidi Washington**, representing the Michigan Department of Corrections, submitted a card in support of the bill and did not wish to speak.

**Sgt. Matt Bolger**, representing the Michigan State Police, submitted a card in support of the bill and did not wish to speak.

**Representative Schuitmaker** moved to adopt the substitute (**H-1**) to **HB 6181**. The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Representative Lipsey** moved to report **HB 6181** with recommendation, as substitute **(H-1)**. The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Chairman Van Regenmorter** laid **HB 6182** before the committee:

HB 6182      David Law      Criminal procedure; arrests; notification to department of corrections when arrest warrant is issued against a parolee; require.

**TESTIMONY**

**Heidi Washington**, representing the Michigan Department of Corrections, submitted a card in support of the bill and did not wish to speak.

**Sgt. Matt Bolger**, representing the Michigan State Police, submitted a card in support of the bill and did not wish to speak.

**Representative Newell** moved to adopt the substitute **(H-1)** to **HB 6182**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Representative Rocca** moved to report **HB 6182** with recommendation, as substitute **(H-1)**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Chairman Van Regenmorter** laid **HB 6275** before the committee:

HB 6275      Robertson      Corrections; parole; special requirements for parolees who were convicted of violent felonies or who are substance abusers; impose.

**TESTIMONY**

**Heidi Washington** and **John Rubitschun**, representing the Michigan Department of Corrections, submitted a card indicating neutrality on the bill.

**Representative Schuitmaker** moved to adopt the substitute (**H-1**) to **HB 6275**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **14-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Representative Schuitmaker** moved to report **HB 6275** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **14-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Chairman VanRegenmorter** laid **HB 6307** before the committee:

HB 6307      Emmons      Crimes; criminal sexual conduct; list of individuals who can be charged with criminal sexual conduct; expand to include coaches.

**TESTIMONY**

**Representative Emmons**, sponsor of HB 6307, explained her bill to the committee.

**Stephanie Wuttke**, representing the Michigan Coalition Against Domestic and Sexual Violence, submitted a card in support of the bill and did not wish to speak.

**Bob Morris**, representing the Michigan Department of Education, submitted a card indicating neutrality on the bill and did not wish to speak.

**Representative Condino** moved to adopt the substitute (**H-1**) to **HB 6307**. The motion was supported by **Representative Schuitmaker**.

The motion prevailed by a vote of **14-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

**Representative Condino** offered the following amendment to **HB 6307 (H-1)**:

1. Amend page 12, line 6, after “**STUDENT**” by inserting “**IF THE VOLUNTEER IS MORE THAN 3 YEARS OLDER THAN THE OTHER PERSON**”.

**Representative Condino** moved to adopt the amendment. The motion was supported by **Representative Nofs**.

The motion did not prevail by a vote of **7-7-0**.

**UNFAVORABLE ROLL CALL:**

Yeas: Representatives Newell, Nofs, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: Representatives Van Regenmorter, Schuitmaker, Stakoe, Elsenheimer, Jones, David Law and Rocca,

Pass: None.

**Chairman Van Regenmorter** offered the following amendment to **HB 6307 (H-1)**:

1. Amend page 14, following line 11, by inserting:  
“Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.”.

**Chairman Van Regenmorter** moved to adopt the amendment. The motion was supported by **Representative Schuitmaker**.

The motion prevailed by a vote of **11-0-3**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey and Bieda,

Nays: None,

Pass: Representatives Condino, Adamini and Virgil Smith.

**Representative Schuitmaker** moved to report **HB 6307** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **10-4-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey and Bieda,

Nays: Representatives Nofs, Condino, Adamini and Virgil Smith,  
Pass: None.

**Chairman Van Regenmorter** laid **HB 6455** before the committee:

HB 6455 Van Regenmorter Crime victims; rights; prisoner accounts; allow for an administrative fee for monitoring.

**TESTIMONY**

**Phil Hoffman**, representing the Michigan Sheriff's Association, submitted a card in support of the bill and did not wish to speak.

**Heidi Washington**, representing the Michigan Department of Corrections, submitted a card in support of the bill and did not wish to speak.

**Representative Lipsey** moved to report **HB 6455** with recommendation. The motion was supported by **Representative Virgil Smith**.

The motion prevailed by a vote of **14-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,  
Nays: None,  
Pass: None.

**Chairman Van Regenmorter** laid **HB 6430** before the committee:

HB 6430 David Law Crimes; criminal sexual conduct; access to social websites by certain sex offenders; prohibit.

**TESTIMONY**

**Representative David Law**, sponsor of HB 6430, explained his bill to the committee.

**Marla Imhoff**, representing herself, testified in opposition to the bill.

**Dr. Dennis Jacobs**, representing the Coalition for a Useful Registry, testified and submitted written testimony in opposition to the bill.

**Representative David Law** moved to excuse absent members from the committee. The motion was supported by **Representative Jones**. There being no objection, the motion prevailed by unanimous consent.

The committee recessed at 11:52 a.m.

*Due to time constraints the following people who submitted a card **in opposition** to the bill were unable to speak:*

**Shelli Weisberg**, representing the American Civil Liberties Union (ACLU).

**Ken Brown**, representing the Coalition for a Useful Registry.

**Linda Zimmerman**, representing the Citizens for Second Chances.

**Deborah Rose**, representing the Citizens for Second Chances.

**Alexis** (No Last Name Given), representing the Citizens for Second Chances.

**Aaron** (No Last Name Given), representing the Citizens for Second Chances.

**Gloria Lowe**, representing herself, submitted written testimony.

**Rob Kokx**, representing himself, submitted written testimony.

**Heather** (No Last Name Given), representing her family, submitted written testimony.

**Barb** (No Last Name Given), representing her family, submitted written testimony.

**Cynthia Russell**, representing herself, submitted written testimony.

**Kelly Cline**, representing herself.

**Dawn Brozowski**, representing herself.

**Beverly Hinton**, representing herself.

**Judy Morse**, representing herself.

**Candace Cline**, representing herself.

**Grace Grogran**, representing herself.

**George Kleinert**, representing his son.

**Jennifer** (No Last Name Given), representing herself.

**Larry** (No Last Name Given), representing himself.

**Chris** (No Last Name Given), representing his family.

**Barb** (No Last Name Given), representing herself.

**Stacey** (No Last Name Given), representing herself.

**Cindy** (No Last Name Given), representing her son.

**Susie** (No Last Name Given), representing her son.

*The following people submitted a card in **support of the bill** and did not wish to speak:*

**Brett Henderson** (GCSI), representing the Michigan Deputy Sheriff's Association and the Safer Online Dating Alliance.

**Sgt. Matt Bolger**, representing the Michigan State Police.

**David Newman**, representing the Michigan Department of Corrections.

**Nicole Gee**, representing Sheriff Michael Bouchard and the Oakland County Sheriff's Office, submitted a card in support of the bill in concept and did not wish to speak.

The Chair adjourned the meeting from the House Floor at 1:53 p.m.

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**Representative William Van Regenmorter, Chair**

**House Standing Committee on Judiciary**

Malika Abdur-Rashid

Committee Clerk

517-373-7256

1 Hour 22 Minutes